

House Committee on Health and Welfare

Minutes of Meeting
2017 Regular Session
April 19, 2017

I. CALL TO ORDER

Representative Frank A. Hoffmann, chairman of the House Committee on Health and Welfare, called the meeting to order at 9:01 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Lawrence A. "Larry" Bagley
Representative Charles R. Chaney
Representative Kenny R. Cox
Representative Dodie Horton
Representative Marcus L. Hunter
Representative Katrina R. Jackson
Representative Robert A. Johnson
Representative H. Bernard LeBas
Representative Dustin Miller
Representative Helena N. Moreno
Representative J. Rogers Pope
Representative Jerome Richard
Representative Joseph A. Stagni
Representative Bob Hensgens, vice chairman
Representative Frank A. Hoffmann, chairman

MEMBERS ABSENT:

Representative Julie Stokes

STAFF MEMBERS PRESENT:

Felicie Jackson, secretary
Brandi Cannon, attorney
Drew Murray, legislative analyst

ADDITIONAL ATTENDEES PRESENT:

Faye Talbot, sergeant at arms

Latricia Davis, clerk

III. OTHER BUSINESS**HOUSE BILL No. 238 by Representative Billiot**

Representative Hoffmann announced that action on House Bill No. 238, which authorizes a request to suspend a license for nonpayment of child support to be made electronically, was voluntarily deferred.

HOUSE BILL No. 395 by Representative D. Miller

Representative Hoffmann announced that action on House Bill No. 395, which amends the procedures for involuntary mental health treatment, was voluntarily deferred.

HOUSE BILL No. 479 by Representative Horton

Representative Hoffmann announced that action on House Bill No. 479, which provides relative to prenatal neglect and reporting thereof, was voluntarily deferred.

HOUSE BILL No. 493 by Representative Magee

Representative Hoffmann announced that action on House Bill No. 493, which establishes a reinspection fee for facilities and establishments with sanitary code violations, was voluntarily deferred.

Louisiana Department of Health Presentation

Dr. Rebekah Gee, secretary of the Louisiana Department of Health, 628 North 4th St, Baton Rouge, LA 70802, (225) 342-9500, presented a powerpoint presentation, Exhibit A, which is included in the committee records.

Witness cards submitted by individuals who did not speak are as follows: 2 for information only. Witness cards are included in the committee records.

Department of Children and Family Services Presentation

Ms. Terri Ricks, deputy secretary of the Department of Children and Family Services, 627 North 4th St, Baton Rouge, LA, 70802, (225) 342-6724, presented a powerpoint presentation, Exhibit B, which is included in the committee records.

Mr. Eric Horent, Department of Children and Family Services, 627 N 4th St, Baton Rouge, LA 70802, (225) 342-1102, spoke to provide information on the department's presentation.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

IV. DISCUSSION OF LEGISLATION**House Concurrent Resolution No. 17 by Representative Hoffmann**

Representative Hoffmann presented House Concurrent Resolution No. 17, which requests a study and recommendations concerning reporting of child abuse and neglect in military families.

Representative Hoffmann offered a motion to report House Concurrent Resolution No. 17 favorably. Without objection, House Concurrent Resolution No. 17 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Hunter, Jackson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 185 by Representative Armes

Representative Armes presented House Bill No. 185, which establishes the Louisiana Military Medics and Corpsmen Pilot Program.

Representative LeBas offered a motion to report House Bill No. 185 favorably. Without objection, House Bill No. 185 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Bagley, Chaney, Cox, Horton, Hunter, Jackson, Johnson, LeBas, Dustin Miller, Moreno, Pope, Richard, Stagni, Hensgens, and Hoffmann voted yea.

There were no witness cards either in support of, in opposition to, or for information only.

House Bill No. 492 by Representative Magee

Representative Magee presented House Bill No. 492, which provides for an independent claims review process within the Medicaid managed care program.

Representative Hoffmann offered amendments which:

1. Reduce the time period within which a healthcare provider is required to submit a written request for reconsideration of claim denial to a Medicaid managed care organization (MCO) from within 365 days from certain specified dates to within 180 days from one of those dates.
2. Change one of the specified dates commencing the time period within which a provider is required to submit a written request for reconsideration of claim denial to an MCO from the date on which the provider receives remittance advice or other written or electronic notice from the MCO denying the claim to the date on which the MCO transmits remittance advice or other notice electronically, or the date of postmark if the remittance advice or other notice is provided in a nonelectronic format.
3. Extend the time period within which the MCO must render a final decision and provide a response to the provider regarding a request for reconsideration of claim denial from 30 calendar days from the date of receipt of the request to 45 calendar days from that date.
4. Revise a provision requiring that an MCO, pursuant to a claim denial being overturned by an independent review, shall send payment in full along with interest back to the date the claim was denied or recouped to specify that this date is the date on which the claim was originally denied or recouped.
5. Require that a provider, within 10 days of the date of the independent review decision, shall reimburse an MCO for the fee associated with conducting the review if the decision of the MCO is upheld.
6. Stipulate that if the provider fails to submit payment for the independent review within 10 days from the date of the review decision, the MCO may withhold future payments to the provider in an amount equal to the cost of the review, and that the MCO shall ensure that such a withholding is clearly delineated on the remittance advice.

7. Revise a provision subjecting MCOs found to be in violation of proposed law to a penalty of exactly \$25,000 per violation to provide that the amount of such penalty shall be up to \$25,000.
8. Delete a provision authorizing an additional penalty of \$25,000 to be imposed for each occurrence of an MCO exceeding 10% of adverse determinations over a 12-month period overturned as the result of an independent review.
9. Add a provision stipulating that if an MCO is subject to more than 50 independent reviews and the percentage of adverse determinations overturned in favor of providers is greater than 25%, then the MCO may be subject to an additional penalty of up to \$25,000 per occurrence over the twenty-five percent threshold.
10. Make technical changes.

Representative Hoffmann offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Hunter, Johnson, Dustin Miller, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Ms. Jennifer McMahon, Louisiana Hospital Association, 9501 Brookline Dr, Baton Rouge, LA 70809, (225) 892-8383, spoke in support of House Bill No. 492.

Mr. Greg Waddell, Louisiana Hospital Association, 9501 Brookline Dr, Baton Rouge, LA 70809, (225) 333-0800, spoke in support of House Bill No. 492.

Representative Johnson offered a motion to report House Bill No. 492 with amendments. Without objection, House Bill No. 492 was reported with amendments by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Hunter, Johnson, Dustin Miller, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 18 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 159 by Representative Dustin Miller

Representative Dustin Miller presented House Bill No. 159, which requires certain mental health providers to be licensed under the Behavioral Health Services Provider Licensing Law.

Representative Hensgens offered a motion to report House Bill No. 159 favorably. Without objection, House Bill No. 159 was reported favorably by a vote of 10 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Hunter, Johnson, Dustin Miller, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 3 for information only. Witness cards are included in the committee records.

House Bill No. 75 by Representative Miguez

Representative Miguez presented House Bill No. 75, which provides with respect to copies of death certificates.

Representative Hoffmann offered amendments, which add a succession representative as a person to whom the state registrar may permit inspection of the death record, and to whom the registrar may issue a death certificate or any part thereof.

Representative Hoffmann offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, Dustin Miller, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Representative Hensgens offered a motion to report House Bill No. 75 with amendments. Without objection, House Bill No. 75 was reported with amendments by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, Dustin Miller, Richard, Stagni, Hensgens, and Hoffmann voted yea.

Witness cards either submitted by individuals who did not speak are as follows: 1 for information only.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Horton offered a motion to adjourn. Without objection, the committee adjourned by a vote of 9 yeas and 0 nays. Representatives Bagley, Chaney, Horton, Johnson, Dustin Miller, Richard, Stagni, Hensgens, and Hoffmann voted yea.

The meeting was adjourned at 11:23 a.m.

Respectfully submitted,

Chairman Frank A. Hoffmann
House Committee on Health and Welfare

Date adopted: